



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I

JOHN F. KENNEDY FEDERAL BUILDING  
ONE CONGRESS STREET  
BOSTON, MASSACHUSETTS 02203-2211

**URGENT MATTER--PROMPT REPLY NECESSARY**  
**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

- 9 1994

April 29, 1994

Bob Bean, Plant Engineer  
Johnson & Johnston Associates, Inc.  
130 Route 111  
Hampstead, NH 03841

RE: **NOTICE OF VIOLATION** of the Land Disposal Restrictions Rule;  
Sections 3004(d) through (m) of the Resource Conservation  
and Recovery Act, 42 U.S.C. §§ 6924(d) through (m).

Dear Mr. Bean:

On February 22, 1994, a representative of the New Hampshire Department of Environmental Services (NH DES) conducted an inspection at Johnson & Johnston Associates, Inc., EPA ID# NHD980909451. The purpose of this inspection was, in part, to determine the company's compliance with the Land Disposal Restrictions (LDR). The LDR, which was established pursuant to the Hazardous and Solid Waste Amendments (HSWA) to Resource Conservation and Recovery Act (RCRA), applies to facilities that manage: (1) certain spent solvents after November 8, 1986; (2) "California list" wastes after July 8, 1987; and (3) the first one-third of the listed hazardous wastes after August 17, 1988, the second one-third of the listed hazardous wastes after June 23, 1989, and the third one-third of the listed hazardous wastes, as well as EPA hazardous waste numbers D001-D017 and F039, after May 8, 1990.

The LDR requires generators to arrange for treatment of their wastes, if their wastes exceed specific treatment standards, prior to land disposal. The LDR also establishes other requirements set forth in 40 C.F.R. Part 268 as well as in the revised regulations of 40 C.F.R. Parts 260-265 and 270. A discussion of the LDR and the regulations promulgated to date can be found in the following Federal Registers:

- 51 Federal Register 40572 (November 7, 1986);
- 52 Federal Register 21010 (June 4, 1987);
- 52 Federal Register 25760 (July 8, 1987);
- 53 Federal Register 31138 (August 17, 1988);
- 54 Federal Register 26594 (June 23, 1989);
- 54 Federal Register 36967 (September 6, 1989);
- 55 Federal Register 11862 (March 29, 1990);
- 55 Federal Register 22520 (June 1, 1990);
- 56 Federal Register 3864 (January 31, 1991); and



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57 Federal Register 37194 (August 18, 1992).

As a result of the inspection noted above, we have determined that your facility violated certain land disposal restriction regulations. The specific violation was noted as the following:

Failure to retain copies of LDR notifications on-site in accordance with 40 C.F.R. § 268.7(a)(7). The requirement first appeared in the August 17, 1988 Federal Register. Under this requirement, copies of all notifications sent after August 17, 1988 must be kept on-site for a period of five years from the date that the notification was sent. Specifically, Johnson & Johnston Associates, Inc. failed to retain two (2) notifications for restricted wastes shipped off-site. These shipments are represented by the following manifest numbers: MAH548437, dated 11/8/93; and MAH549889, dated 11/8/93.

You are hereby required to:

1. Immediately upon receipt of this NOTICE:

Acquire copies of all LDR notifications sent with shipments of LDR waste occurring within the past five years. Johnson & Johnston shall retain a copy on-site of each LDR notification sent to its receiving facilities for five years from the date the notification was sent in accordance with 40 C.F.R. §268.7(a)(7).

2. Within thirty (30) calendar days of receipt of this NOTICE:

Submit to EPA and the NH DES a written description, with supporting documentation, of the actions taken to correct the aforementioned violations to the following addresses:

Elaine Stanley (HRW CAN 3)  
U.S. Environmental Protection Agency  
Waste Management Division  
John F. Kennedy Federal Building  
Boston, MA 02203-2211

Todd Leedberg  
Waste Management Division  
Department of Environmental Services  
6 Hazen Drive  
Concord, NH 03301

Failure to correct the violations as required by this NOTICE may subject the facility to further Federal enforcement action,

of RCRA, 42 U.S.C. § 6928. If you have any questions regarding this NOTICE, please contact Elaine Stanley of my staff at (617) 223-5515.

Sincerely,



Bruce Marshall, Chief  
RCRA Support Section

cc: Elaine Stanley, EPA  
David Lim, EPA  
Todd Leedberg, NH DES

